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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Egypt, Jordan, Morocco, Saudi Arabia: revised draft resolution

Effects of terrorism on the enjoyment of human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[2] the International Covenant on Civil and Political Rights[2] and other relevant international human rights instruments,

Taking note of all relevant resolutions of the General Assembly, the Security Council, the Commission on Human Rights and the Human Rights Council concerning terrorism and the protection of human rights, including its resolutions 46/51 of 9 December 1991, 60/158 of 16 December 2005, 60/288 of 8 September 2006, 64/297 of 8 September 2010, 68/178 of 18 December 2013, 68/276 of 13 June 2014, 69/127 of 10 December 2014, 70/148 of 17 December 2015 and 70/291 of 1 July 2016, Commission on Human Rights resolution 2004/44 of 19 April 2004[3] and Human Rights Council resolutions 25/7 of 27 March 2014,[4] 28/17 of 26 March 2015,[5] 29/9 of 2 July 2015,[6] 31/3 of 23 March 2016,[7] 31/30 of 24 March 2016,[8] 33/21 of 30 September 2016,[9] 34/8 of 23 March 2017[10] and 35/34 of 23 June 2017,[11]

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.
[4] *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. IV, sect. A.*al Records of the General Assembly, Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. IV, sect. A.
[5] Ibid., *Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.
[6] Ibid, chap.V, sect. A.
[7] Ibid., *Seventy-first Session, Supplement No. 53* (A/71/53), chap. IV, sect. A.
[8] Ibid.
[9] Ibid., *Supplement No. 53A* (A/71/53/Add.1 and corrigendum), chap. II.
[10] Ibid., *Seventy-second Session, Supplement No. 53* (A/72/53), chap. IV, sect. A.
[11] Ibid., chap. V, sect. A.

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Reiterating its strong and unequivocal condemnation of all acts, methods and practices of terrorism and violent extremism as and when conducive to terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation,

Recognizing that terrorism has a detrimental effect on the full enjoyment of all human rights and fundamental freedoms, and impedes the full enjoyment of political, civil, economic, social and cultural rights,

Strongly condemning the systematic recruitment and use of children to perpetrate terrorist attacks, as well as the violations and abuses committed by terrorist groups against children, including killing and maiming, abduction and rape and other forms of sexual violence, and noting that such violations and abuses may amount to war crimes or crimes against humanity,

Expressing deep concern that acts of sexual and gender-based violence are known to be part of the strategic objectives and ideology of certain terrorist groups and are used as an instrument to increase their power through supporting financing and recruitment and through the destruction of communities,

Emphasizing that all human rights are universal, indivisible, interdependent and interrelated,

Reaffirming the fundamental importance of respecting all human rights and fundamental freedoms and the rule of law, and reiterating that all States have an obligation to promote and protect all human rights and fundamental freedoms and to ensure implementation of their obligations under international human rights law and international humanitarian law, as applicable,

Reaffirming that the promotion and the protection of human rights for all and the rule of law are essential to the fight against terrorism, recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but are complimentary and mutually reinforcing, and stressing the need to promote and protect the rights of victims of terrorism,

Stressing that States have a responsibility to protect individuals within their territory and subject to their jurisdiction from acts of terrorism, to take effective counter-terrorism measures and to investigate and prosecute those responsible for carrying out such acts, and emphasizing the importance of ensuring that counter-terrorism laws, measures and practices are human rights-compliant,

Renewing its unwavering commitment to strengthening international cooperation to prevent and combat terrorism and violent extremism as and when conducive to terrorism in all its forms and manifestations, and reaffirming that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed,

Emphasizing that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group, and that tolerance, pluralism, inclusion and respect for diversity, dialogue among civilizations and the enhancement of interfaith and intercultural understanding and respect among people, including at the national, regional and global levels, while avoiding the escalation of hatred, are among the most important elements in promoting cooperation and success in preventing and combating terrorism, and welcoming the various initiatives to that end,

Reaffirming the commitment of Member States to take measures aimed at addressing the conditions conducive to the spread of terrorism, including but not limited to prolonged unresolved conflicts, the dehumanization of victims of terrorism in all its forms and manifestations, lack of the rule of law and violations

and abuses of human rights, ethnic, national and religious discrimination, political exclusion, socioeconomic marginalization and lack of good governance, while recognizing that none of these conditions can excuse or justify acts of terrorism,

Conscious that there are a number of drivers underlying radicalization to terrorism and that development based on the principles of social justice, inclusion and equal opportunities can contribute to the prevention of terrorism and violent extremism as and when conducive to terrorism, as well as to the promotion of inclusive, open and resilient societies, notably through education, and affirming the determination of States to work towards conflict resolution, to confront oppression, to eradicate poverty, to promote sustained economic growth, sustainable development, global prosperity, good governance, human rights and fundamental freedoms for all and the rule of law, to improve intercultural understanding and to promote respect for all,

1. *Strongly condemns* all terrorist acts as criminal and unjustifiable, and expresses grave concern about their detrimental effects on the enjoyment of all human rights;

2. *Reaffirms* its commitment to the United Nations Global Counter-Terrorism Strategy and a balanced and integrated implementation of its four pillars, as adopted in its resolution 60/288, and at its fifth review, and recognizes the need to redouble efforts for even attention paid to and even implementation of all the pillars of the strategy;

3. *Expresses concern* that terrorists and terrorist groups have targeted communities and individuals, as well as Governments, including on the basis of religion or belief and/or ethnicity;

4. *Deeply deplores* the suffering caused by terrorism to the victims of terrorism in all its forms and manifestations and to their families, expresses its profound solidarity with them, and encourages Member States to provide them with proper support and assistance while taking into account, inter alia, when appropriate, considerations regarding remembrance, dignity, respect, justice and truth, in accordance with international law;

5. *Recognizes* that terrorism has a grave impact on the full enjoyment of all human rights and fundamental freedoms and that it potentially hampers development, including, but not limited to, destroying infrastructure, harming the tourism industry, diverting foreign direct investment, impeding economic growth and increasing security costs;

6. *Urges* States to protect persons within their territory and subject to their jurisdiction by preventing and countering terrorism in all its forms and manifestations, in full compliance with their international legal obligations, and to respect and protect all human rights while countering terrorism in accordance with international law, in particular international human rights law, international refugee law and international humanitarian law;

7. *Calls upon* Member States to remain alert to the use of information and communications technology for terrorist purposes and to cooperate to counter violent extremist propaganda and incitement to violence on the Internet and social media, including by developing effective counter-narratives, and to prevent terrorists from recruiting and raising funds online for terrorist purposes, while respecting human rights and fundamental freedoms, in compliance with their obligations under international law, and stresses the importance of cooperation with civil society and the private sector in this endeavour;

8. *Expresses its concern* at the increasing use, in a globalized society, by terrorists and their supporters of information and communications technology, in particular the Internet and other media, to advocate, commit, incite, recruit for, fund or plan terrorist acts, urges States to take appropriate preventive measures in this regard while acting in full compliance with their international law obligations, and reiterating that such technologies can be powerful tools in countering the spread of terrorism, including by promoting tolerance, dialogue among peoples and peace;

9. *Emphasizes* the importance of cooperation among stakeholders, including through technical cooperation, capacity-building and the exchange of good practices, information and intelligence on preventing and countering terrorism, and in this regard calls upon States and relevant regional and subregional organizations, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars in a balanced and integrated manner;

10. *Reaffirms* its profound solidarity with the victims of terrorism and their families, and acknowledges the importance of protecting their rights and providing them with proper support, assistance and rehabilitation, while taking into account, when appropriate, considerations regarding remembrance, dignity, respect, justice and truth in such a way that promotes accountability and ends impunity, and encourages the enhancement of international cooperation and the exchange of expertise in that respect, in accordance with international law;

11. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its seventy-third session.